The Alberta Libraries Act

CHAPTER L-12.1 1983

LIBRARY BYLAWS

QUESTIONS TO ASK

Alberta
CULTURE
1984

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THE ALBERTA LIBRARIES ACT

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CULTURE
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Prepared by

Alberta Culture, Library Services
16214 - 114 Avenue
Edmonton, Alberta
T5M 2Z5

Telephone: (403) 427-2556
Telex: 037-2055
Envoy 100: ILL.AECLS

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LIBRARY BYLAWS: QUESTIONS TO ASK

This is the first of a series of "guidance documents" being produced by Alberta Culture, Library Services Branch to assist library boards and librarians in complying with the Libraries Act, 1983 and the Libraries Regulation, 1984. The documents are being compiled under the guidance, and with the advice, of a committee consisting of:

Doreen Armstrong, Chairman, Leduc Municipal Library Board.
Pam Chislett, Councillor, Library Association of Alberta.
Sue Dutton, Alberta Library Board.
Joe Forsyth, Director, Alberta Culture Library Services Branch.
Howard Platt, President, Alberta Library Trustees Association.
Peter Taylor, Alberta Culture, Field Services Branch.

All library boards in the Province must file a report containing any by-laws passed by them under section 40 of the Libraries Act, and must file this report with Alberta Culture before December 31, 1985. The purpose of having a by-law is to enable the library board to have legal authority for charging fines or fees, setting out terms and conditions for the use of the library building or materials, and thus providing the board with the power to set penalties and institute prosecutions under the Libraries Act.

This publication contains suggestions for questions to ask when creating the policy which will be contained in your by-law, and when creating the procedures to implement that policy. It also provides a step by step method for the creation of that by-law to ensure its legality, and illustrates what such a by-law might look like.

Further assistance on the policy aspects of creating a by-law can be obtained by consulting your ALTA Handbook or ALTA Manual, or by contacting the staff of Alberta Culture, Library Services Branch. Executive members of the Alberta Library Trustees Association will also be pleased to assist you with this process. Assistance on the methodology to be followed in creating the actual by-law for your library can probably be obtained from your municipal secretary, or from any member of the staff of Alberta Culture's regional offices or library services branch.

DRAFTING AND AMENDING YOUR LIBRARY BY-LAW

The term BY-LAW is used in several ways:

a). Establishment By-law - all municipal libraries are established by passage of a by-law by the municipal council. This document should be on file both in council records and in the library.

b). Rules of Procedure - the constitution and rules of procedure of an organisation are often termed by-laws. These may govern election of officers, duties of officers, rules for calling meetings, financial arrangements etc. Boards might wish to give these another name to avoid confusion, although it is proper to term them by-laws.

c). Policies - certain policies, rules and regulations, if passed by a Board, must take the form of a by-law. This then becomes a written, legally adopted statement recording these policy decisions of the board. The policies may already exist and be called "rules and regulations", "procedures", "board policies", or by some other name.

This document concerns only itself only with the third of the above definitions. Section 40 of the new Libraries Act requires that, if a library board has policies on the safety and use of the library, then these policies must be in the form of a by-law. The Libraries Regulation would require a community library pursuant to 1(1), a municipal library pursuant to 7(1) and a library system board pursuant to 16(1) to file their library by-law with the Minister prior to December 31, 1986.

The **PRIMARY REASON** your library requires an up-to-date by-law is to ensure that the rules and regulations of your library are legal and hence enforceable. The existence of a proper library by-law protects you as a board member, your collection, and the community you serve from abuse.

This document is intended as a guide to assist you in creating a by-law appropriate to your library or in drafting amendments to your library's existing by-laws. Before you start, resolve to approach the task with an **OPEN AND CREATIVE MIND** attuned to the needs of the library users in your community. This is an opportunity to review your operations and how they affect the public.

REMEMBER that this is a BY-LAW OF THE LIBRARY BOARD. It is NOT a municipal by-law, nor does your council have to do anything to make it legal.

TRY TO AVOID the tendency to put too many rules into your by-law or rules that are too strict. **BE REALISTIC** about what is convenient for the user without creating work for your librarian and your staff.

Any library policies in the following six areas are required to be in the form of a by-law:

i) terms and conditions under which the public may be admitted to the building.
ii) terms and conditions under which public library property may be used or borrowed.
iii) terms and conditions under which borrowing privileges may be suspended or forfeited.
iv) fees to be paid for issuance of library cards.
v) fees to be paid for use of those parts of the library building not used for the purposes of the public library.
vi) penalties to be paid for abuse of borrowing privileges.

Before beginning, locate your rules and regulations. As mentioned earlier, you may not have referred to these rules as by-laws. They may be called "Library Policy" or may be in the librarian's procedure manual. These regulations or policies may be filed with your minutes, posted in your library or be on a pamphlet or bookmark available to patrons. Check with the council secretary to see if municipal records have "library by-laws" other than the by-law establishing the library.

To be LEGALLY ENFORCEABLE, the by-law must have been read three times and approved by the library board. If you have NO RECORD of these requirements being met then it is now necessary to meet these requirements by carefully complying with the suggested procedures.

INSTRUCTIONS

This document incorporates instructions for both amending a by-law and drafting a new by-law. It is recommended that Schedules be used for listing specific fees, penalties or loan periods, thus making reference to these easier.

If you are AMENDING A BY-LAW see points 1 to 3 AND 12-16.

If you are DRAFTING A NEW BY-LAW start at point 4 and continue to 16.

AMENDING A BY-LAW

Review Policies

1. Consolidate and review your by-laws, in whatever form they now exist, for necessary changes. Appoint a small committee comprised of one or two board members and the librarian to review the existing by-laws.

- o Are they in accordance with the new Libraries Act, particularly Section 40(3) which PROHIBITS CHARGES for use and loan of materials and for admittance to parts of the building used for public library purposes?
- o Are they appropriate to the present level of service the library is offering?

2. The committee should consider each section of the by-law one at a time. If it is adequate, nothing more needs to be done. If a by-law needs to be revised the committee should draft an amendment.

3. Schedule a meeting of the board, with the librarian in attendance, to consider amendments to the by-law.

   - o Prior to the meeting distribute the by-law and proposed amendments to all board members. Ask them to come prepared to discuss the amendments to the by-laws and make any additional amendments.

*Please proceed to point 12 on page 4

DRAFTING A NEW BY-LAW

Appoint Committee

4. If you do not have written policies or by-law the board should appoint a small committee to prepare the initial draft of the by-laws including the schedules. One of these people should be the librarian, as this is the person most familiar with the direct operations of the library.

Set Time Frame

5. At the outset the board and the committee should reach agreement on a realistic time schedule for preparing the by-law. The more complex and extensive your library services are the longer it may take to draft a by-law.

Basic Principles

6. The committee should keep in mind some basic principles
   e.g. - Make the library easy for the patron to use. - Keep paper work for staff to a minimum.

Record Existing Policies

7. Even if the library has been operating without written guidelines there is probably an understanding among staff about how long books are marked out for, overdue fines etc. Keep in mind the six policy areas that should be incorporated in your by-law. The librarian should write down what is understood to be library policy in these areas.

8. Next consider those areas of operation which have no guidelines. You may want to consult the policies of other libraries. Write down a proposed policy.

9. Are these proposed rules:

   - In accordance with the new Libraries Act particularly 40(3) which PROHIBITS CHARGES for use and loan of materials and for admittance to the parts of the building used for public library purposes?
   - Appropriate to the present level of service the library is offering?

10. If the committee is satisfied with the content of the rules then they should be drafted into a form appropriate to a by-law.* The USE OF SCHEDULES which are attached to and are part of the by-law is RECOMMENDED for clarity in detailing specific policies. This will greatly assist the board in the future if it decides to amend the by-law.

11. Schedule a meeting, with the librarian in attendance, to consider the proposed by-law.

    - Prior to the meeting distribute a typed copy of the proposed by-law to trustees so that they are well prepared to discuss the by-law. It may be useful to assign a particular topic to some trustees to critique. It is suggested that any proposed changes be in writing.

12. First Working Meeting

    It is important that the Chairman conduct the meeting in accordance with good meeting practice. Suggestions for doing so may be found in a number of books. One which can be obtained from your Recreation director is Making Meetings Matter.

    - Do ensure that the motion to adopt is properly made, seconded and voted upon.
    - Consider each section of the by-law or proposed amendment one at a time. After some general discussion it should be possible to reach a consensus on how the amendment or by-law should now read.
    - When you have reached agreement on the necessary changes have someone make the appropriate motion. e.g. "a motion to amend or adopt (if new by-law) article number ___ on _____ to read as follows: . . ." The motion must be seconded after which the chairman will call for a vote. If the motion to amend or adopt passes this constitutes FIRST READING.
    - If there is no major disagreement it should be possible to have FIRST READING on the whole by-law at one meeting.

    If the board wishes to proceed with all three readings of the by-law at the same meeting, UNANIMOUS CONSENT is required to proceed with the THIRD and FINAL READING.

*Check with your municipal secretary with regard to the proper format for by-laws. He or she will have expert knowledge of how your council expects to see such documents and, if this format is followed, it may avoid confusion later.

13. Second Working Meeting

- Typed copies of the amendments or by-laws passed at the previous meeting should be distributed to the board.
- The Chairman should then call for SECOND READING of the amendment or by-law and conduct a vote.
  A motion to read the by-law (or specific articles) a second time is in order.
- The Chairman may then entertain a motion that the board proceed with the THIRD AND FINAL READING of the amendment or by-law.
- The Chairman may then have the third reading of the amendment or by-law and the vote.
- The amendment or by-law should then be signed by the Chairman and another officer of the board (not the librarian).
- The Board should ensure that any existing policies in conflict with the by-law are revoked.
- The Board should decide upon what date the by-law should take effect. It is suggested that the by-law come into effect one month, or later, after passage, and this can be done through a motion to adopt the by-law on a specific date.
- Although Council does not have to approve the board by-law, it is courteous to allow Council time to review the by-law if it chooses to do this, or to provide time to answer any questions which might arise.

14. A signed copy of the amendments or new by-law should be forwarded to the municipal secretary, or equivalent, as required in Section 41 of the Libraries Act. Request that the board be sent either a copy of the minutes of the Council meeting at which the library by-law was received, or a letter from the municipal secretary confirming that the amended or new library by-law was received by Council .

15. The Council of a municipality may disallow a by-law passed by the library board. It does not have the power to amend or change the by-law or any part of it.

- If the by-law, or a section of it, is disallowed by Council, the entire by-law is VOID.
- The board should consult with Council to find out why this action was taken. It should then redraft the by-law to ensure that Council will not disallow it again.
- The board will have to have three readings and vote on the redrafted by-law before forwarding it again to Council.

16. Your library's up to date by-law is OFFICIAL.
- It is suggested that it be posted in a prominent place in the library, as well as being available as required under section 9 of the Libraries Regulation.
- You may wish to advertise the by-law or make them readily available to patrons in a handout.

SETTING LIBRARY POLICIES

The following section sets out some of the factors to consider when setting policies and creating your by-law. A sample by-law is appended for ease of reference with regard to format.

1) PUBLIC ADMITTANCE TO THE LIBRARY BUILDING

Section 40 (1)(a)i - Terms and conditions under which the public may be admitted to the building.

Admittance During Public Hours of Opening

- The public shall have access to the public portions of the library during hours of opening.

- The board should address the question of unaccompanied children in the library. It is important that the library protect itself from any charge of negligence should something happen on the library premises to a young child, unaccompanied by a parent or guardian, and some age limitation may be necessary.

Admittance During Hours When the Library is Closed

SEE SAMPLE BY-LAW SECTION 2(1)

Because of the hours of library opening or the physical structure of the library building it is possible that the public will be admitted to the library to attend a public function in library facilities outside of normal business hours.

- If the public is going to be in the library facility during closing hours the board should ensure the security of the building and collection by having a clear policy which provides for supervision and lock up by either library personnel, maintenance staff, or a security guard.

Disruptive behaviour in the library.

SEE SAMPLE BY-LAW, SECTION 2(3)

- Persons that have previously caused trouble by their behaviour cannot be prohibited from entering the building, unless previously prosecuted for this behaviour.

Once a person is in the building and proceeds to act in such a way as to violate a library by-law by disturbing other patrons they are liable to a charge under Section 45 of the Libraries Act.

- The board might establish a procedure by which incremental steps are taken by the librarian on duty. This need not be a part of the by-law, but can be considered at the same time. For example:

  1) Inform the person that their behaviour is a problem and should be stopped.
  2) If they do not desist, ask them to leave.
  3) If they will not leave, inform them you are contacting the police to assist you and that they are liable to charges under the Libraries Act, S.A. 1983, c.L-12.1, s.45, the maximum penalty for which is $500 and/or 6 months imprisonment, as provided by s.722 of the Criminal Code of Canada, RSC 1970 c.C-34.
  4) Inform the chief librarian, chairman of the board or other trustee that you are going to contact the police. Endeavour to have one of them present when the police arrive.
  5) Solicit the assistance of responsible patrons who have witnessed the misdemeanour to stay until the police arrive.
  6) Contact the police
  7) As soon as possible, write a report for the board on what transpired. Include the names and addresses of patrons who can verify the report.

- If there is a recurring problem with a person who has been prosecuted for their behaviour in the library, then it may be possible to seek a court order for an injunction preventing that person from entering the library for a specified period of time.

ii) USE OR BORROWING OF PUBLIC LIBRARY PROPERTY

Section, 40 (1)(a)ii - Terms and conditions under which public library property may be used or borrowed.

Factors to be considered include:

Materials Which May be Used on the Library Premises

- Any member of the general public should be able to use any material from the public library collection or any item of property designated for public use.

SEE SAMPLE BY-LAW, SECTION 5(1)

However

- The board may want to establish
  a) Supervisory or security arrangements,
  b) Age requirements,

or c) User instructional requirements for use of:

  1) Special collections - such as local historical and archival material.
  2) Easily damaged materials - such as micromaterials.
  3) Capital equipment such as record players, tape recorders, VCRs, computers, film projectors, typewriters, micro film/fiche reader/printers, photocopying machines.

- The age of a user cannot be an automatic bar to deny user privileges to children, but the board may look at requirements for parental permission for parts of the collection.

Loaning Materials

- The library board must decide which library materials will be normally "lent". "Lent" with reference to library materials is defined in the Regulations at 1(d): "means that a user may choose to use them in some location other than the library."
- Usually, only members will be allowed to borrow library materials.
- Lending regulations should facilitate the use of library materials by readers.
  - Regulations should allow sufficient materials, time, and freedom for use by the reader and still be consistent with the best use of library resources.
  - Materials, except those which are judged by the board to be IRREPLACEABLE or needed in the reference collection for basic informational services should be available for use outside the library.
  - Try to avoid frustrating library patrons by having unnecessary restrictions, and a confusing variety of loan periods for different materials

SEE SAMPLE BY-LAW, SECTION 5(2) - 5(4)

Loan Procedures

- The board must ensure that there are clear procedures for:
  - circulating materials
  - overdue procedures

These procedures should not be part of the by-law, but can be considered at the same time as the by-law is drafted.

iii) SUSPENSION OF BORROWING PRIVILEGES

Section 40 (1)(a)iii - Terms and conditions under which borrowing privileges may be suspended or forfeited.

The board should consider which circumstances would constitute reason for suspension of borrowing privileges. Clear procedures for the suspension of such privileges must be established.

- The recommendation for suspension would be made by the librarian to the board.
- The usual reason for suspension will be failure to pay charges for overdue, damaged or lost material. The board should stipulate the amount that will attract this penalty and the amount of time the person has to pay before this final step will be invoked.
- The board should have all the files and facts available before a decision is reached on suspension.
- Procedures for suspension might include:
  - notice to persons that their borrowing privileges may be revoked.
  - the board then makes a decision.
  - the board should notify the person that their borrowing privileges have been suspended or revoked.
  - there must be an appeal process.

These procedures should not appear in the by-law but may be considered at the same time.

SEE SAMPLE BY-LAW, SECTION 6(4)-6(6)

iv) FEES FOR ISSUANCE OF LIBRARY CARDS

Section 40 (1)(b)(i) - Fees to be paid for issuance of library cards.

Factors to consider include:

Should there be a fee for issuing library cards?

The board should first consider the pros and cons of charging for issuing a library card:

PROS:

- fee helps pay for the cost of issuing the membership and for the stationery.
- fee is viewed as indicating the value of the service to the user.
- user fees are often viewed with favour by municipal councils.
- fee can control use if linked to heavy use of the library.
- one time or lifetime memberships are easy to administer.

CONS:

- fee may be viewed as a surcharge on a service already paid for by public taxes.
- costs of administering fee may outweigh revenue.
- length of membership must be decided (e.g. annual, every 2 or 3 years etc).
- free library card has good public relations value.
- fee can deter use by low income families, children or heavy users.

In Alberta, the most recent statistics on public libraries which charge for single adult memberships are:

MEMBERSHIP FEE	PERCENT OF LIBRARIES
Libraries with no charge	34%
Charge of $1.00 or less	27%
Charge of $1.00 - $2.00	24%
Charge of $2.01 - $5.00	15%

If a fee is to be charged, the board must decide upon the length or membership, conditions of renewal and set procedures for this.

Categories of fees

- The board must define what categories of membership should be established with regard to
  - resident of a jurisdiction
  - resident of a neighbouring municipality
  - children
  - seniors
  - family
  - non-resident
  - temporary resident
  - groups or organizations

- The board should decide whether the library will charge for replacement cards and under what conditions.

SEE SAMPLE BY-LAW, SECTION 3(1)

- The board will have to stipulate the identification that is necessary to acquire a membership card in any of the membership categories.

SEE SAMPLE BY-LAW, SECTION 3(2)

Fees for non-residents

- The Board should consider whether it wishes to charge a different fee for non-residents than that charged for residents. Questions to ask would include:

Does the municipality within which the non-resident lives contrbute towards the cost of library service?
Does the municipality within which the non-resident lives have a library? Is there any reciprocity?

v) USE OF LIBRARY PREMISES

Section 40(1)(b)(ii) - Fees to be paid for use of those parts of the library building not used for the purposes of the public library.

Many libraries have meeting rooms or multi-purpose rooms as part of their library building. While such spaces are designed to facilitate library programs, they may also be intended as public meeting and activity space for community groups and organizations. The by-law must set out policy for the control and management of such space.

SEE SAMPLE BY LAW, SECTION 2(2)

Factors to consier with regard to rental of library space include

Purpose

The library facility may be viewed as another resource that the library makes available for the use of the community. Libraries will seldom make a profit on the rental of space, but they may try to meet costs involved in maintenance and security. If the demand for the facility is very heavy, the board may give some consideration to giving priority booking to those groups such as historical societies and arts councils whose mandate is complementary to the goals and objectives of the library.

Municipal Authority

Some libraries share a building with the town office, and although the space for rent is referred to as part of the library it is in fact under the authority of the town which may assume responsibility for bookings.

Even if the municipal council has no authority over the library facility, it is good public relations to ensure that the town knows it is welcome to use the library rental space.

Space Available Free of Charge

There may be no charge for library space for events co-sponsored by the library. The board may also wish to consider if certain types of meetings such as public information meetings might merit free use of the library rental space.

Flat Fee or Scaled Fee?

Some libraries vary the rental fee for library space depending on whether the scheduled event is a community meeting or whether it is a profit making venture such as a Weight Watchers meeting. It is important that any differential in fees for the rental of the same space is set out clearly in a written policy available to potential renters.

Rental of space to particular types of groups

The board must be careful that its by-law does not transgress the Alberta Individual Rights Protection Act, R.S.A., 1980 C I-2 S. 3.

> "No person directly or indirectly, alone or with another, by himself or by the interposition of another, shall
>
> a) deny to any person or class of persons any accommodation, services or facilities customarily available to the public or
> b) discriminate against any person or class of persons with respect to any accommodation, services or facilities customarily available to the public,
>
> because of the race, religious beliefs, colour, sex, physical characteristics, ancestry or place or origin of that person or class of persons or of any other person or class of persons."

Security

Often meetings are at hours other than when the library is customarily open to the public. This poses a security problem which the board must address. Either library personnel, maintenance staff, or security staff must check to ensure that the facility is not being abused and attend to locking up. This, in turn, may be a cost factor to be calculated in the rental rate.

Maintenance

Depending on what type of a function the space is being used for, there may be additional janitorial costs which are also a cost factor.

The board should carefully consider its policy regarding smoking, food and beverages in the meeting room.

Booking and Rental Procedure

The board must have clear procedure on how the room is to be booked. This should not be part of the by-law but can be considered at the same time.

- Who is the library person responsible for booking the room.
- Procedure for tentative reservation; confirmation and deposit.
- Contact person and phone number.
- Requests and charges for equipment, e.g. lectern, PA equipment, screen, VCR etc.
- Instructions for room set up.
- Emergency procedures.
- Procedure for admittance to the room and lock up.
- Procedure for payment.
- Charge for cancellation particularly on short notice.
- Posting meetings.
- Rules on use of the room regarding smoking, beverages etc.

vi) PENALTIES

Section 40 (1)(b)(iii) - Penalties to be paid for abuse of borrowing privileges.

The board should ask itself the purpose of making charges for damaged or lost materials, and/or having fines and penalties for the late return of materials:

i) Is it to encourage patrons to take good care of library materials they have borrowed?
ii) Is it to encourage patrons to return materials on time so that they are once again available to loan to other library users?
iii) Is it a way to raise money for the library?
iv) Is it to cover the costs incurred in recovering materials?

The board may want to consider whether its loan period for particular items is too short and, thus, encouraging overdues.

The loan period and the fines may, to some degree, reflect the expense of, demand for, and use of the material which is loaned. For instance a videotape which can be viewed in one evening may have a shorter loan period than a book and may attract a greater penalty for late return.

The by-law might include:

1) fines for late return of different types of material.
2) charges for material that has been returned but has been damaged by a patron.
3) charges for loss of materials.
4) charges for lost or damaged transaction slips, book pockets etc.
5) amnesty periods when patrons can return overdue materials without having to pay fines.
6) a range of penalties which would apply when patrons are prosecuted under s.45 of the Libraries Act.

SEE SAMPLE BY-LAW, SECTION 5 AND 6

Charges for lost or damaged materials

The library board can decide to assess charges on the basis of a number of factors. For example:

1) Flat charge for type of material lost. This is a simple method and is appropriate if the material is no longer available.
2) Replacement cost - this means that the item is readily available and that the cost can be easily ascertained by referring to a publication such as Books In Print or Canadian Books in Print.
3) Purchase cost - this is the price that the library originally paid for the book. Some libraries have this information on the shelf list card.
4) Replacement cost, plus the cost of acquiring and processing the replacement item. - this includes all or part of the cost of technical services and processing.

SEE SAMPLE BY-LAW, SECTION 6

The board may consider that after a specified lapse of time unpaid fines or charges in excess of a specified amount should attract one of the severer penalties listed below. The board should carefully weigh whether such steps are necessary and, if so, for what amounts the penalties would apply.

Each of these options would require the library to give NOTICE to the person that the library board is comtemplating taking the specified act against them:

SEE SAMPLE BY-LAW, SECTION 6(3)

i) Revocation of borrowing privileges (see page 9).
ii) Placing the account with a collection agency or municipal by-law enforcement officer.
iii) If the charges are under $2,000 the board could take the person to small claims court and pursue a civil action.
iv) Lay charges under Section 45 of the Libraries Act. The board should consult with the municipal solicitor or the lawyer retained by the municipality to handle its legal work before proceeding with this step.

SEE SAMPLE BY-LAW, SECTION 6(4)

Charges laid under the Libraries Act, section 45, will carry the penalties stipulated in the board's by-law. Boards may, if they wish, stipulate a minimum penalty to guide the Court in its judgement. There should, however, be a range available to the Court and the maximum should not exceed that set out in the Criminal Code as quoted below. If no penalty is stipulated, the Court may elect to use the maximum fine provision in such a by-law, or may look to the Summary Convictions Act, section 4(1) for guidance on penalties. In this latter case, section 722(1) of the Criminal Code, R.S.C. 1970, c C-34, would apply, and it states:-

> "Every one who is convicted of an offence punishable on summary conviction is liable to a fine of not more than five hundred dollars or to imprisonment for six months or to both"

Section 46 of the Libraries Act stipulates that any penalty will accrue to the library board.

APPENDIX

This is a SAMPLE BY-LAW ONLY. It is written to assist you in developing your own by-law and to illustrate how the various parts of the by-law might fit together. It is suggested that section 1 "Interpretation" may be used in total as it sets out certain basic definitions and legal intentions common to all library by-laws. Your own library by-law will be more extensive as you will have provided specific details particularly in the schedules.

BY-LAWS OF THE _____ LIBRARY

The _____ Library Board enacts the following by-laws persuant to The Libraries Act, R.S.A. Chapter L-12.1, 1983, Section 40.

Interpretation

1 (1) For the purposes of this by-law the expression:

a) "Act" refers to The Libraries Act, R.S.A., Chapter L-12.1, 1983.
b) "board" means the _____ Library Board.
c) "borrower" means the person to whom a library membership card has been issued.
d) "librarian" means the person charged by the board with the operation of the _____ Library.
e) "library materials" includes books, (whether hard cover, paper cover or soft cover), periodicals, newspapers, sound recordings, audio and video cassettes, tape recordings, video discs, video tapes, motion pictures, filmstrips, filmloops, slides, paintings, drawings, prints or photographs, (whether or not they are mounted or framed), micromaterials in all formats, toys and games, computer software and multi-media kits in the collection of the _____ Library or borrowed by the _____ Library.

1 (2) In these by-laws, unless the contrary intention appears in the context

a) words imparting male persons include female persons.
b) words in the singular include the plural and words in the plural include the singular.
c) where a word is defined, other parts of speech and tenses of that word have corresponding meanings.

d) where a period of time dating from a given day, act or event is prescribed or allowed for any purposes, the time shall be reckoned exclusively of such day or of the day of such act or event.

1 (3) Where the time limit for doing anything falls on a day when the library is closed to the public the time shall be deemed to be extended to the first day thereafter on which the library is open to the public.

Library Facility

Access to the Public Library Portion of the Building

2 (1) The portion of any building used for public library purposes is open to any member of the public **FREE OF CHARGE** during the hours of opening as are set out by the _____ Library Board from time to time.

Multi Purpose Room Rental

2 (2) Charges for the use of library premises not normally used for public library purposes are set out in Schedule A which is attached hereto and forms part of this by-law.

Conduct in the Library Building

2 (3) Any person using the library building shall conduct himself so as to not disturb other library users.

Procedure for Acquiring a Membership Card

3 (1) Any person resident in the _____ of _____ is eligible to apply for a membership card.

3 (2) An application pursuant to 3 (1) shall be

a) in writing in form prescribed by the librarian.
b) dated and signed by the applicant.
c) dated and signed by the parent or guardian of an applicant who is less than ___ years old.
d) accompanied by the fee prescribed in Schedule B.

3 (3) The librarian may issue a membership card to a person who has made proper application persuant to 3(1) and 3 (2).

Responsibilities of a Member

4 (1) A membership card may only be used by the person to whom it is issued except:

a)Insert any special conditions

4 (2) A member shall notify the librarian of any change of address and/or telephone number.

4 (3) A member should take proper care of any library item entrusted to his care.

4 (4) A member should return any library item to the library on or before the due date as provided in Schedule C.

Loan of Materials

No Charge for Loan of Materials

5 (1) In accordance with The Libraries Act Section 40 (3) there shall be NO CHARGE for the use of library materials. This includes materials used on the premises, materials loaned or materials acquired from other services at the discretion of the board.

Loan Period for Library Materials

5 (2) The loan periods for various materials are set out in Schedule C.

Reserves

5 (3) Library materials may be reserved in accordance with policy established by the board.

Renewals

5 (4) Library materials may be renewed in accordance with policy established by the board.

Penalty Provisions

6 (1) The fines for late return of materials are as set out in Schedule D.

6 (2) The fines for damaged or lost materials are as set out in Schedule D.

6 (3) The procedures for demanding the return of overdue materials are as set out in Schedule D.

Revocation of Membership

6 (4) A membership card may be revoked by the librarian for the reasons set out in Schedule D.

Appeal

6 (5) A person who has had his membership revoked persuant to 6 (4) may within 30 DAYS of such revocation make an appeal to the board in writing setting out the grounds of the appeal.

6 (6) The decision of the board in an appeal persuant to 6 (5) is final and not subject to further appeal.

Prosecution

6 (7) In cases of serious derilection the board may prosecute an offence under The Libraries Act, Section 45. Such an offence is punishable under the Libraries Act, s45. The range of penalties applying on conviction for such an offence is set out in Schedule D.

6 (8) Any fine or penalty imposed pursuant to an offence under 6 (7) enures to the benefit of the _____ Library Board in accordance with The Libraries Act, Section 46.

Read a first time_____

Read a second time_____

_____
Chairman

_____
Treasurer

Read a third time and adopted this __ day of _____, 19_.

Schedules A to __ are part of the By-laws of the _____Library.

Schedule A - Room Rental Fees

Schedule B - Membership Card Fees

Schedule C - Loan Periods for Library Materials

Schedule D - Penalty Provisions

1) Fines for late return of materials.
2) Fines for damaged or lost materials.
3) Procedures for notice of overdue materials and demand for return of materials.
4) Revocation of membership cards.
5) Procedure for prosecution.
6) Penalties for abuse of borrowing privileges.

POOR

QUALITY

ORIGINAL